

00454

1979/01/31

AGREEMENT BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA
ON COOPERATION IN SCIENCE AND TECHNOLOGY

The Government of the United States of America and the
Government of the People's Republic of China (hereinafter
referred to as the Contracting Parties);

Acting in the spirit of the Joint Communique on the
Establishment of Diplomatic Relations between the United States
of America and the People's Republic of China;

Recognizing that cooperation in the fields of science and
technology can promote the well-being and prosperity of both
countries;

Affirming that such cooperation can strengthen friendly
relations between both countries;

Wishing to establish closer and more regular cooperation
between scientific and technical entities and personnel in both
countries;

Have agreed as follows:

ARTICLE 1

1. The Contracting Parties shall develop cooperation under
this Agreement on the basis of equality, reciprocity and mutual
benefit.

2. The principal objective of this Agreement is to provide
broad opportunities for cooperation in scientific and technological
fields of mutual interest, thereby promoting the progress of science
and technology for the benefit of both countries and of mankind.

ARTICLE 2

Cooperation under this Agreement may be undertaken in the fields of agriculture, energy, space, health, environment, earth sciences, engineering, and such other areas of science and technology and their management as may be mutually agreed, as well as educational and scholarly exchange.

ARTICLE 3

Cooperation under this Agreement may include:

- a. Exchange of scientists, scholars, specialists and students;
- b. Exchange of scientific, scholarly, and technological information and documentation;
- c. Joint planning and implementation of programs and projects;
- d. Joint research, development and testing, and exchange of research results and experience between cooperating entities;
- e. Organization of joint courses, conferences and symposia;
- f. Other forms of scientific and technological cooperation as may be mutually agreed.

ARTICLE 4

Pursuant to the objectives of this Agreement, the Contracting Parties shall encourage and facilitate, as appropriate, the development of contacts and cooperation between government agencies, universities, organizations, institutions, and other entities of both countries, and the conclusion of accords between such bodies for the conduct of cooperative activities. Both sides will further promote, consistent with such cooperation and where appropriate, mutually beneficial bilateral economic activities.

ARTICLE 5

Specific accords implementing this Agreement may cover the subjects of cooperation, procedures to be followed, treatment of intellectual property, funding and other appropriate matters. With respect to funding, costs shall be borne as mutually agreed. All cooperative activities under this Agreement shall be subject to the availability of funds.

ARTICLE 6

Cooperative activities under this Agreement shall be subject to the laws and regulations in each country.

ARTICLE 7

Each Contracting Party shall, with respect to cooperative activities under this Agreement, use its best efforts to facilitate prompt entry into and exit from its territory of equipment and personnel of the other side, and also to provide access to relevant geographic areas, institutions, data and materials.

ARTICLE 8

Scientific and technological information derived from cooperative activities under this Agreement may be made available, unless otherwise agreed in an implementing accord under Article 5, to the world scientific community through customary channels and in accordance with the normal procedures of the participating entities.

ARTICLE 9

Scientists, technical experts, and entities of third countries or international organizations may be invited, upon mutual consent of both sides, to participate in projects and programs being carried out under this Agreement.

ARTICLE 10

1. The Contracting Parties shall establish a US-PRC Joint Commission on Scientific and Technological Cooperation, which shall consist of United States and Chinese parts. Each Contracting Party shall designate a co-chairman and its members of the Commission. The Commission shall adopt procedures for its operation, and shall ordinarily meet once a year in the United States and the People's Republic of China alternately.

2. The Joint Commission shall plan and coordinate cooperation in science and technology, and monitor and facilitate such cooperation. The Commission shall also consider proposals for the further development of cooperative activities in specific areas and recommend measures and programs to both sides.

3. To carry out its functions, the Commission may when necessary create temporary or permanent joint subcommittees or working groups.

4. During the period between meetings of the Commission, additions or amendments may be made to already approved cooperative activities, as may be mutually agreed.

5. To assist the Joint Commission, each Contracting Party shall designate an Executive Agent. The Executive Agent on the United States side shall be the Office of Science and Technology Policy; and on the side of the People's Republic of China, the State Scientific and Technological Commission. The Executive Agents shall collaborate closely to promote proper implementation of all activities and programs. The Executive Agent of each Contracting Party shall be responsible for coordinating the implementation of its side of such activities and programs.

ARTICLE 11

1. This Agreement shall enter into force upon signature and shall remain in force for five years. It may be modified or extended by mutual agreement of the Parties.
2. The termination of this Agreement shall not affect the validity or duration of any implementing accords made under it.

DONE at Washington this 31st day of January, 1979,
in duplicate in the English and Chinese languages, both equally
authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:

FOR THE GOVERNMENT OF THE
PEOPLE'S REPUBLIC OF CHINA:

